

PTM/3523ma

AFFIDAVIT

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

ss:

I, Paul Kula, M.D., of lawful age and under oath, do hereby swear or affirm:

I.

That, it was and is my understanding that the medical liability insurance policy provided to me by Mercy did not require my written consent to settle prior to the payment of settlement monies.

II.

That, it is my understanding that Mercy settled the *Bachhofer* lawsuit which had been filed against me.

III.

That, I did not direct Mercy to settle the *Bachhofer* case.

IV.

That, I did not provide a written consent authorizing Mercy to settle the *Bachhofer* case.

V.

That, neither Mercy nor any of its agents advised me at the time of settlement of the *Bachhofer* case that Mercy would seek indemnification against me.

I state under penalty of perjury under the laws of Oklahoma that the foregoing is true and correct.

August 19, 2009
Date and Place Rusk, Texas

Paul Kula, M.D.
Paul Kula, M.D.

